

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JON D. GRUBER, Individually And On : X No. 16-cv-09727-JSR
Behalf Of All Others Similarly Situated, :
Plaintiff, : Hon. Jed S. Rakoff
v. :
RYAN R. GILBERTSON, et al., :
Defendants. :
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**[PROPOSED] ORDER AUTHORIZING DISTRIBUTION OF REGER JUDGMENT
AND PAYMENT OF CLAIMS ADMINISTRATION FEES AND EXPENSES**

WHEREAS, Defendant Michael L. Reger (“Reger”) has satisfied the judgment entered on October 25, 2023 (ECF 564) in the amount of \$236,476.96 (the “Reger Judgment”);

WHEREAS, Class Counsel will not seek payment of any attorneys’ fees or reimbursement of expenses from the Reger Judgment;

WHEREAS, the Claims Administrator, Angeion Group, has incurred additional unpaid fees and expenses in connection with its work providing claim information to Reger’s counsel in response to Reger’s challenges to the claims process and to specific claimants, and for the subsequent work requested by the Court as set forth in the September 19, 2023 Order, in the amount of \$15,500, which has been reviewed by Class Counsel and found to be reasonable and necessary; and

WHEREAS, distribution of the Reger Judgment together with the Net Settlement Fund from the Officer and Director Defendants (the “O&D Net Settlement Fund”) previously

approved by the Court (ECF 559), by way of a single check to Class Members identified in the eligible claimant class lists attached to the Ferrara Declaration, Exhibits C and D (ECF 563-3, 563-4) will eliminate unnecessary costs and expenses.

Accordingly, good cause appearing therefor,

IT IS HEREBY ORDERED as follows:

1. The Court approves payment to Angeion Group of fees and expenses in the amount of \$15,500.00, to be paid out of the Reger Judgment;
2. Payments from the O&D Net Settlement Fund, as well as those eligible to participate in the Reger Judgment, will be made in a single check to eligible claimants as identified in the Ferrara Declaration, Exhibits C and D (ECF 563-3, 563-4);
3. Payment to Class Members ordered herein shall be made no later than thirty (30) days from the date of this Order;
4. Plaintiffs shall file a report to the Court on the distribution process 150 days following the date of payment to Class Members.

SO ORDERED.

New York, NY
January 23, 2024



JED S. RAKOFF, U.S.D.J.